

# South Cambridgeshire District Council

## Regulations Made Pursuant to Paragraph 13 Of Schedule 3 of The Local Government (Miscellaneous Provisions) Act 1982 Prescribing Standard Conditions Applicable to Licences For Sex Establishments

In this licence the following words and / or expressions shall have the meaning hereby respectively assigned to them. In these conditions the following expressions shall have the following meanings:

- i. "The Council" – South Cambridgeshire District Council. Licensing section, Cambourne Business Park, Cambourne, CB3 6EA
- ii. "Sex Establishment", "sex cinema", "sex shop", and "sex article" shall have the meanings given to them in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.
- iii. "Premises" - any vehicle, vessel, stall or premises (which shall include any building, any part thereof, forecourt, yard or storage place in connection with any building), which is the subject of a licence, granted under Schedule 3 aforesaid.

### Standard Conditions for Sex Establishment Licence

South Cambridgeshire District Council reserve the power to alter, modify or dispense, with these conditions as it sees fit at any time.

### Management of the Premises

1. The Licensee or some responsible person nominated by him and approved in writing by the Council for the purpose of managing the sex establishment ("the manager") shall have personal responsibility for and be present on the Premises at all times when the Premises are open to the public.
2. Where the Licensee is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the Council within 14 days of such change and such written details

as the licensing authority may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the Council.

3. A copy of the licence and any special conditions attached shall at all times be displayed in a conspicuous position on the Premises, so as to be available for inspection by the police, the fire authority, and authorised officers of the Council or the local trading standards authority.
4. The name of the person responsible for the management of the Premises, whether the Licensee or the manager, shall be displayed in a conspicuous position within the Premises throughout the period during which he is responsible for the conduct of the Premises.
5. The Licensee shall retain control over all parts of the Premises and shall not let, licence or part with possession of any part. The Council must be notified within 24 hours in the event that any part of the Premises is affected by the termination of a lease or other event affecting the Licensee's control of the Premises.
6. The Licensee shall ensure that the public is not admitted to any part of the Premises that has not been licenced.
7. No person under the age of 18 shall be admitted to the Premises and a notice to this effect, in accordance with condition 19, shall be displayed on the outside of the Premises.
8. Neither the Licensee nor any employee or agent shall personally solicit custom for the sex establishment outside or in the vicinity of the Premises.
9. The Licensee shall ensure that during the hours that the Premises are open for business every employee wears a badge of a type approved by the Council indicating his name and that he is an employee.
10. The Licensee shall maintain a daily register in which shall be recorded the name and address of any person who is to be responsible for managing the Sex Establishment in the Licensee's absence and the names and addresses of those employed in the Sex Establishment. The Register is to be completed each day within thirty minutes of the Sex Establishment being opened for business and is to be available for inspection by the police and by authorised officers of the Council.

## Opening of the Premises

1. The Premises shall not, without the written consent of the Council, be opened and used for the purposes for which the licence is granted expect during the following hours:  
Monday – Saturday 9 am – 6 pm
2. The Premises shall not, without the written consent of the Council, be opened and used for the purposes for which the licence is granted on Sundays, Good Friday or Christmas Day.

## Conduct of the Premises

1. No change from a sex cinema to a sex shop or a sex shop to a sex cinema shall be made without the written consent of the Council.
2. No sex articles or other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a sex cinema.
3. A sex shop shall be conducted primarily for the purpose of the sale of goods by retail.
4. No film or video recording (or computer game) shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Classification and bears a certificate to the effect.
5. No moving picture shall be provided on display at the licensed premises unless it is that of advertising videos on a loop system or allowing a prospective purchaser a short preview, being no longer than 3 minutes in length of films upon request.

## External Appearance

1. The holder of a sex establishment licence may exhibit on the outside of the Premises the name of the business and a notice, capable of being enclosed by a rectangle one square metre in area or such other size as agreed with the Council, consisting of the words 'Licensed Adult Establishment'.
2. The holder of a sex establishment licence shall exhibit on the outside of the Premises a notice, capable of being enclosed by a rectangle one square metre in area, of the times of opening and of the words 'No person under the age of 18 allowed. People under the age of 21 will be required to show proof of their age.'

3. (a) No other words, advertisement, letter, model, sign, placard, board, notice sign, device, representation, drawing, writing, display or any other matter, shall be displayed on the outside of the Premises or in the vicinity of the Premises, except those mentioned in conditions 18 and 19 or otherwise approved by the Council in writing;  
(b) No external loudspeakers may be installed.
4. The windows and openings of the Premises shall be of a material or covered with a material, which will render the interior of the Premises invisible to passers-by.

### State, Condition and Layout of the Premises

1. Notwithstanding the Licensee's duties under the Health and Safety at Work Act 1974 and related legislation and his obligations under any lease or other agreement for the use of the Premises, he shall maintain the Premises in good repair and condition.
2. External doors shall be closed at all times other than when persons are entering or leaving the Premises. The external doors shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
3. The Premises shall be fitted with an inner entrance door or screen so that no part of the interior of the Premises or any of the contents of the Premises shall be visible when persons are entering or leaving the Premises.
4. No access shall be permitted through the Premises to any other Premises adjoining or adjacent except in the case of emergency.
5. Lighting shall be in operation continuously during the whole of the time that the Sex Establishment is open to the public.
6. Alterations or additions, either internal or external, shall be not be made to the Premises without prior written consent from the Council.
7. Any facilities for previewing films, video recordings or other similar material shall be physically separated from the display area of the shop in such a manner that no material being displayed by way of preview shall be visible or audible outside the preview area.
8. No fastenings of any description shall be fitted upon any booth or cubicle within the Sex Establishment nor shall more than one person (including any employee) be present in any such booth or cubicle at any time.

## Safety and Security

1. The Licensee shall submit details of the steps to be taken, for the approval of the authority, to check the age of customers entering the shop who appear to be between the ages of 18 and 21 in order to ensure that they are not younger than 18. He / she shall ensure the approved steps are implemented.
2. The Licensee shall ensure a closed-circuit television system is installed internally and externally to the satisfaction of the Council.

## Goods Available in Sex Establishments

1. All Sex Articles as defined in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 and other things displayed for sale, hire, exchange or loan within a Sex Establishment shall be clearly marked to show to persons who are inside the Sex Shop the respective prices being charged.
2. All printed matter, films and video films offered for sale, hire, exchange or loan shall be openly displayed and available for inspection prior to purchase and a notice to this effect is to be prominently displayed inside the Sex Establishment. (This regulation does not require that films or video films be exhibited (played) to customers).
3. The Licensee shall without charge display and make available in the Sex Establishment such free literature on counselling on matters related to sexual problems as may be published by the FPA (formerly the Family Planning Association) and by such other similar organisations from time to time and in particular any such material related to AIDS. Such literature is to be displayed in a prominent position approved by the Council adjacent to all cash collection points in the Sex Establishment.